

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

JARON D. HILL

Plaintiff

Civil Action No. 2:15-cv-10332

Honorable Victoria A. Roberts

Magistrate Judge Anthony P. Patti

v.

CAROLYN W. COLVIN,
ACTING COMMISSIONER OF
SOCIAL SECURITY,

Defendant.

_____ /

ORDER GRANTING PLAINTIFF'S
MOTION FOR ATTORNEY FEES

This cause is before the Court on Plaintiff's Counsel's Motion for Authorization of Attorney Fees pursuant to 42 U.S.C. §406(b). On January 26, 2015, plaintiff, Jaron Hill, filed a Complaint against defendant, Carolyn Colvin, Commissioner of Social Security. This matter was remanded to the Commissioner pursuant to a Stipulated Remand (Doc. #19) under Sentence Four of 42 U.S.C. §405(g), with a Judgment issuing on October 28, 2015 (Doc #20). Subsequent to the Remand, and after an administrative hearing, plaintiff was issued a fully favorable decision on August 19, 2016.

Counsel now seeks \$9,013.75 in attorney fees under 406(b). Counsel has sent a letter to plaintiff, notifying him of her request for attorney fees and affording him an opportunity to respond. No such response has been received, with plaintiff's counsel's original motion having been served on plaintiff on December 5, 2016.

Under 42 U.S.C. §406, "a court may allow 'a reasonable fee not in excess of 25% of the past due benefits' awarded to the claimant." §406(b)(1)(A). Here, it is undisputed that the fee requested does not exceed 25% of the past-due benefits awarded to plaintiff. Plaintiff, moreover, signed a contingency fee agreement agreeing to pay 25% of his past-due benefits should there be a favorable decision in federal court.

Accordingly, it is **ORDERED** that the Motion for Attorney Fees requested is **GRANTED**.

It is further **ORDERED** that Eva I. Guerra is awarded \$9,013.75 to be paid in accordance with the procedures set forth in 42 U.S.C. §406(b).

S/Victoria A. Roberts
Victoria A. Roberts
United States District Judge

Dated: January 25, 2017

The undersigned certifies that a copy of this document was served on the attorneys of record by electronic means or U.S. Mail on January 25, 2017.

s/Linda Vertriest
Deputy Clerk